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UNITED STATES DEPARTMENT OF COMMERCE United States Patent and Trademark Office Address COMMISSIONER FOR PATENTS

P.O. Box 1450 Alexandria, Vinginia 22313-1450 www.usplo.gov

APPLICATION NUMBER NG OR 371 (c) DATE ETRAIN 10/811.771 03/29/2004

FIRST NAMED APPLICANT

ATTORNEY DOCKET NUMBER

Martin R. Grether

BING-1-1072

CONFIRMATION NO. 9495

FORMALITIES LETTER

OC000000012992561

25315 BLACK LOWE & GRAHAM, PLLC 701 FIFTH AVENUE **SUITE 4800** SEATTLE, WA 98104

Date Mailed: 06/18/2004

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

08/20/2004 YPOLITE1 00000033 10811771

01 FC:1001

02 FC:1051 03 FC:1201

04 FC:1202

770.00 OP 130.00 OP 258.00 OP 468.00 OP FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below. however, are missing. Applicant is given TWO MONTHS from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing. Applicant must submit \$ 770 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).
- The oath or declaration is missing. A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Replacement drawings in compliance with 37 CFR 1.84 and 37 CFR 1.121 are required. The drawings submitted are not acceptable because:
 - The drawings submitted to the Office are not electronically reproducible. Drawing sheets must be submitted on paper, which is flexible, strong, white, smooth, non-shiny, and durable (see 37 CFR 1.84(e)). See Figure(s) 1-8.

The applicant needs to satisfy supplemental fees problems indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

• Additional claim fees of \$726 as a non-small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is \$1626 for a Large Entity

- \$770 Statutory basic filing fee.
- \$130 Late oath or declaration Surcharge.
- Total additional claim fee(s) for this application is \$726
 - \$258 for 3 independent claims over 3.
 - \$468 for 26 total claims over 20.

Replies should be mailed to:

Mail Stop Missing Parts

Commissioner for Patents

P.O. Box 1450

Alexandria VA 22313-1450

A copy of this notice MUST be returned with the reply.

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART I - ATTORNEY/APPLICANT COPY

SUBMITTED BY

Name (Print/Type)

Signature

Dale C, Barr

PTO/SB/17 (10-03)

(Complete (if applicable))

Telephone 206.957.2463

Approved for use through 07/31/2006. OMB 0651-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
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TRANSMITTAL for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT

| (\$) | 40 |
|------|----|
| \W/ | |

| Complete if Known | | |
|----------------------|-----------------|--|
| Application Number | 10/811,771 | |
| Filing Date | March 29, 2004 | |
| First Named Inventor | Raymond R. Reed | |
| Examiner Name | | |
| Art Unit | 3644 | |
| Attorney Docket No. | BING-1-1072 | |

| METHOD OF PAYMENT (check all that apply) | FEE CALCULATION (continued) | | | | | |
|---|-----------------------------|-------------|----------|-------------|--|----------|
| Check Credit card Money Other None 3. ADDITIONAL FFFS | | | | | | |
| Deposit Account: | | | | | | |
| Deposit | Fee Code | Fee (\$) | | Fee (\$) | Fee Description | Foo Doid |
| Account Number | 1051 | 130 | 2051 | | Surcharge - late filing fee or oath | Fee Paid |
| Deposit Account | 1052 | 50 | 2052 | | Surcharge - late provisional filing fee or | |
| Name | 1053 | 130 | 1053 | 130 | cover sheet Non-English specification | |
| The Director is authorized to: (check all that apply) Charge fee(s) indicated below Credit any overpayments | 1812 | | 1812 | | For filing a request for ex parte reexamination | |
| Charge fee(s) indicated below Credit any overpayments Charge any additional fee(s) or any underpayment of fee(s) | 1804 | 920* | 1804 | | Requesting publication of SIR prior to | |
| | | | | | Examiner action | |
| Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account. | 1805 | 1,840* | 1805 | 1,840* | Requesting publication of SIR after Examiner action | |
| FEE CALCULATION | 1251 | 110 | 2251 | 55 | Extension for reply within first month | ļ |
| 1. BASIC FILING FEE | 1252 | 420 | 2252 | 210 | Extension for reply within second month | |
| Large Entity Small Entity | 1253 | 950 | 2253 | 475 | Extension for reply within third month | |
| Fee Fee Fee Fee Description Fee Paid Code (\$) | 1254 | 1,480 | 2254 | 740 | Extension for reply within fourth month | |
| 1001 770 2001 385 Utility filing fee | 1255 | 2,010 | 2255 | 1,005 | Extension for reply within fifth month | |
| 1002 340 2002 170 Design filing fee | 1401 | 330 | 2401 | 165 | Notice of Appeal | L |
| 1003 530 2003 265 Plant filing fee | 1402 | 330 | 2402 | | Filing a brief in support of an appeal | |
| 1004 770 2004 385 Reissue filing fee | 1403 | 290 | 2403 | 145 | Request for oral hearing | |
| 1005 160 2005 80 Provisional filing fee | 1451 | 1,510 | 1451 | 1,510 | Petition to institute a public use proceeding | |
| SUBTOTAL (1) (\$) 0 | | 110 | 2452 | | Petition to revive - unavoidable | |
| | | 1,330 | 2453 | 665 | Petition to revive - unintentional | |
| 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE | | 1,330 | 2501 | 665 | Utility issue fee (or reissue) | |
| Extra Claims below Fee Paid Total Claims -20** = X | 1502 | 480 | 2502 | 240 | Design issue fee | |
| Independent | 1503 | 640 | 2503 | 320 | Plant issue fee | |
| Claims X = X = X Multiple Dependent | 1460 | 130 | 1460 | 130 | Petitions to the Commissioner | |
| · · · · · · · · · · · · · · · · · · · | 1807 | 50 | 1807 | 50 | Processing fee under 37 CFR 1.17(q) | |
| Large Entity Small Entity Fee Fee Fee Fee Fee Description | 1806 | 180 | 1806 | | Submission of Information Disclosure Stmt | |
| Code (\$) Code (\$) | 8021 | 40 | 8021 | 40 | Recording each patent assignment per property (times number of properties) | |
| 1202 18 2202 9 Claims in excess of 20 1201 86 2201 43 Independent claims in excess of 3 | 1809 | 770 | 2809 | 385 | Filing a submission after final rejection | 40 |
| 1203 290 2203 145 Multiple dependent claim, if not paid | 1810 | 770 | 2810 | 385 | (37 CFR 1.129(a)) For each additional invention to be | |
| 1204 86 2204 43 ** Reissue independent claims | | | | | examined (37 CFR 1.129(b)) | |
| over original patent | 1801 | 770 | 2801 | | Request for Continued Examination (RCE) | |
| 1205 18 2205 9 ** Reissue claims in excess of 20 and over original patent | 1802 | 900 | 1802 | 900 | Request for expedited examination of a design application | |
| SUBTOTAL (2) (\$) 0 | Other f | fee (sp | ecify) _ | | | |
| **or number previously paid, if greater; For Reissues, see above | *Redu | ced by | Basic F | iling F | ee Paid SUBTOTAL (3) (\$) 40 | |

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Registration No.

(Attomey/Agent)

40,498

PTO/SB/21 (02-04)
Approved for use through 07/31/2006. OMB 0651-0031

| Under the Paperwork Reduction 1995 Persons are required to respond to a collection of information unless it displays a valid OMB control Application Number TRANSMITTAL Filing Date First Named Inventor Raymond R. Reed Art Unit Examiner Name Total Number of Pages in This Submission ENCLOSURES (Check all that apply) Fee Transmittal Form First Named Inventor ENCLOSURES (Check all that apply) Fee Attached First Named Inventor Raymond R. Reed After Allowance communication to Total Number of Appeal Communication to Boar of Appeal Communication to Boar of Appeal Communication to TC | n |
|---|-------------------|
| FIRST Named Inventor Raymond R. Reed Art Unit 3644 Examiner Name Total Number of Pages in This Submission After Allowance communication to Technology Center (TC) Fee Attached First Named Inventor Raymond R. Reed Art Unit 3644 Examiner Name BING-1-1072 After Allowance communication to Box of Appeals and Interferences | ırd |
| (to be used for all correspondence after initial filing) Art Unit Examiner Name Total Number of Pages in This Submission ENCLOSURES (Check all that apply) Fee Transmittal Form Drawing(s) Fee Attached Art Unit Sadd Examiner Name BING-1-1072 After Allowance communication to Technology Center (TC) Appeal Communication to Box of Appeals and Interferences | ırd |
| Examiner Name Total Number of Pages in This Submission ENCLOSURES (Check all that apply) ENCLOSURES (Check all that apply) Fee Transmittal Form Drawing(s) Fee Attached Drawing-related Papers Drawing-related Papers Drawing-related Papers | ırd |
| Examiner Name Total Number of Pages in This Submission 25 Attorney Docket Number BING-1-1072 | ırd |
| Total Number of Pages in This Submission ENCLOSURES (Check all that apply) Fee Transmittal Form Drawing(s) Fee Attached Drawing-related Papers After Allowance communication to Box of Appeals and Interferences | ırd |
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| Fee Transmittal Form Drawing(s) Licensing-related Papers to Technology Center (TC) Appeal Communication to Box of Appeals and Interferences | ırd |
| Amendment/Reply After Final Affidavits/declaration(s) Extension of Time Request Express Abandonment Request Information Disclosure Statement Certified Copy of Priority Document(s) After Final Petition Proprietary Information Status Letter Other Enclosure(s) (please Identify below): Return Postcard/Copy Notice re MP Combined Dec./Power of Atty Recordation Form Cover/Assignmen Remarks Remarks | t |
| Response to Missing Parts under 37 CFR 1.52 or 1.53 | |
| SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT Firm Rich Lovin & Graham Pl.L.C. by Dala C. Barr, PTO Roa, No. 40 408 | |
| or | |
| Individual name Signature | |
| Date Annuals 2004 | |
| August 16, 2004 | |
| CERTIFICATE OF TRANSMISSION/MAILING | |
| I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Servi sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1 the date shown below. | ce with 150 on |
| Typed or printed name Sandra K. Duncan | |
| Signature Sandra K. Duncan Date August 19, 2004 | |

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

PTO/SB/17 (10-03)

Approved for use through 07/31/2006. OMB 0651-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE Under the Paperwork Reduction Act of 1995 are required to respond to a collection of information unless it displays a valid OMB control number.

| FEE | TR | ÄN | SM | ÍT | TA | L |
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Effective 10/01/2003. Patent fees are subject to annual revision.

Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT

| (\$) | 1 | ,026 |
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| ladi | | ,020 |

| Complete if Known | | | | |
|----------------------|-----------------|--|--|--|
| Application Number | 10/811,771 | | | |
| Filing Date | March 29, 2004 | | | |
| First Named Inventor | Raymond R. Reed | | | |
| Examiner Name | | | | |
| Art Unit | 3644 | | | |
| Attorney Docket No. | BING-1-1072 | | | |

| METHOD OF PAYMENT (check all that apply) | FEE CALCULATION (continued) | | | | | |
|--|-----------------------------|--------|------------------|-------------|--|----------|
| ✓ Check Credit card Money Order None | 3. ADDITIONAL FEES | | | | | |
| Deposit Account: | Large Entity Small Entity | | | | | |
| Deposit 50 1050 | Fee Code | | | Fee (\$) | Fee Description | Fee Paid |
| Account Number | 1051 | 130 | 2051 | 65 | Surcharge - late filing fee or oath | 130 |
| Deposit Account | 1052 | 50 | 2052 | 25 | Surcharge - late provisional filing fee or cover sheet | |
| Name The Director is authorized to: (check all that apply) | 1053 | 130 | 1053 | | Non-English specification | |
| Charge fee(s) indicated below Credit any overpayments | 1812 | 2,520 | 1812 | 2,520 | For filing a request for ex parte reexamination | |
| Charge any additional fee(s) or any underpayment of fee(s) | 1804 | 920* | 1804 | 920* | Requesting publication of SIR prior to Examiner action | |
| Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account. | 1805 | 1,840* | 1805 | 1,840* | Requesting publication of SIR after Examiner action | |
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| 1. BASIC FILING FEE | 1252 | 420 | 2252 | 210 | Extension for reply within second month | |
| Large Entity Small Entity | 1253 | 950 | 2253 | 475 | Extension for reply within third month | |
| Fee Fee Fee Fee Paid Fee Paid Code (\$) Code (\$) | 1254 | 1,480 | 2254 | 740 | Extension for reply within fourth month | |
| 1001 770 2001 20E | 1255 | 2,010 | 2255 | 1,005 | Extension for reply within fifth month | |
| 1002 340 2002 170 Design filing fee 770 | 1401 | 330 | 2401 | 165 | Notice of Appeal | |
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| 1004 770 2004 385 Reissue filing fee | 1403 | 290 | 2403 | 145 | Request for oral hearing | |
| 1005 160 2005 80 Provisional filing fee | 1451 | 1,510 | 1451 | 1,510 | Petition to institute a public use proceeding | |
| SUBTOTAL (1) (\$) 770 | | 110 | 2452 | 55 | Petition to revive - unavoidable | |
| 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE | 1453 | 1,330 | 2453 | 665 | Petition to revive - unintentional | |
| Fee from | 1501 | 1,330 | 2501 | 665 | Utility issue fee (or reissue) | |
| Extra Claims below Fee Paid Total Claims 46 -20** = 26 x 18 = 468 | 1502 | 480 | 2502 | 240 | Design issue fee | |
| Total Claims 46 -20** = 26 X 18 = 468 | 1503 | 640 | 2503 | 320 | Plant issue fee | |
| Claims 0 -3" = 5 | 1460 | 130 | 1460 | 130 | Petitions to the Commissioner | |
| | 1807 | 50 | 1807 | 7 50 | Processing fee under 37 CFR 1.17(q) | |
| Large Entity Small Entity Fee Fee Fee Fee Fee Description | 1806 | 180 | 1806 | | Submission of Information Disclosure Stmt | |
| Code (\$) | 8021 | 40 | 802 ⁻ | 1 40 | Recording each patent assignment per property (times number of properties) | |
| 1202 18 2202 9 Claims in excess of 20 1201 86 2201 43 Independent claims in excess of 3 | 1809 | 770 | 2809 | 385 | Filing a submission after final rejection (37 CFR 1.129(a)) | |
| 1203 290 2203 145 Multiple dependent claim, if not paid | 1810 | 770 | 2810 | 385 | For each additional invention to be examined (37 CFR 1.129(b)) | |
| 1204 86 2204 43 ** Reissue independent claims over original patent | 1801 | 770 | 2801 | 385 | | |
| 1205 18 2205 9 ** Reissue claims in excess of 20 and over original patent | 1802 | 900 | 1802 | 900 | • | |
| Other foe (energy) | | | = | | | |
| **or number previously paid, if greater; For Reissues, see above *Reduced by Basic Filing Fee Paid SUBTOTAL (3) (\$) 130 | | | | | | |

(Complete (if applicable)) SUBMITTED BY Registration No. Name (Print/Type) Dale C. Barr 40.498 Telephone 206.957.2463 (Attornev/Agent) Date August 16, 2004 Signature

> WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.



Applicants: Raymond R. Reed et al.

Attorney Docket No. BING-1-1072

Serial No.: 10/811,771

Group Art Unit:

3644

Filing Date: March 29, 2004

Examiner:

Title:

ADAPTABLE PAYLOAD PROCESSES

COMMISSIONER FOR PATENTS

RESPONSE TO NOTICE TO FILE MISSING PARTS OF APPLICATION

Dear Commissioner:

In response to the Notice to File Missing Parts dated June 18, 2004, please find enclosed the following:

- 1. Transmittal (Form PTO/SB/21);
- 2. Fee Transmittal (Form PTO/SB/17);
- 3. Copy of Notice to File Missing Parts;
- 4. Combined Declaration/Power of Attorney;
- 5. Corrected Drawings (7 Sheets, Figs. 1-11)
- 5. Check No. 11730 for \$1,626; and
- 6. Return postcard.

Respectfully submitted,

BEACK LOWE & GRAHAMPLLC

Dale C. Barr

Registration No: 40,498 Direct Dial: 206.957.2463

MAIL CERTIFICATE

I hereby certify that this communication is being deposited with the United States Postal Service via first class mail under 37 C.F.R. § 1.08 on the date indicated below addressed to: MAIL STOP MISSING PARTS, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

August 17, 2004

Date of Deposit

Sandra K Duncan

BLACK LOWE & GRAHAM PLLC

- 2 -

BING-1-1072RMP

701 Fifth Avenue, Suite 4800 Seattle, Washington 98104 206.381.3300 • F: 206.381.3301